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*Attorney for Defendants*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF WYOMING**

STEPHEN P. KELLY,	)	
	)	
Plaintiff,	)	Civil Action No. 23-CV-004
	)	
v.	)	
	)	
POWELL POLICE DEPARTMENT, a Wyoming	)	
Law Enforcement Entity, and	)	
	)	
POWELL POLICE DEPARTMENT OFFICER,	)	
CALEB SCHMIDT, in his official capacity,	)	
	)	
Defendants.	)	

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**NOTICE OF UNCLAIMED MAIL**

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**COME NOW**, the Defendants, the City of Powell Police Department and Officer Caleb Schmidt in his official capacity, by and through their attorney, Thomas W. Rumpke, of Williams, Porter, Day & Neville, P.C., and hereby states as follows:

1. On February 21, 2023, Defendants filed their Motion to Dismiss [ECF No. 14] and accompanying Memorandum of Law [ECF No. 15]. Copies were sent to Mr. Kelly's mailing address on file at the time, namely General Delivery, Omaha Nebraska. [See ECF Nos. 3, 7].
2. Plaintiff has not responded to the Motion to Dismiss.

3. On March 6, 2023, Defendants received notice that mail from the Court to the Plaintiff was returned as unclaimed, but that mail was addressed to General Delivery, Billings, Montana.

4. Then, on April 25, 2023, Defendants received notice that mail from the Court to the Plaintiff was returned as unclaimed, but that mail was addressed to General Delivery, Grand Island, Nebraska.

5. On May 18, 2023, the Defendants received a piece of mail from the Defendants to Plaintiff returned as unclaimed. A copy is attached hereto as Exhibit 1.

6. Thus, it appears that Plaintiff is not claiming mail addressed to him at Billings, Montana, Grand Island, Nebraska, and Omaha, Nebraska.

**DATED** this 19<sup>th</sup> day of May, 2023.

*/s/ Thomas W. Rumpke*  
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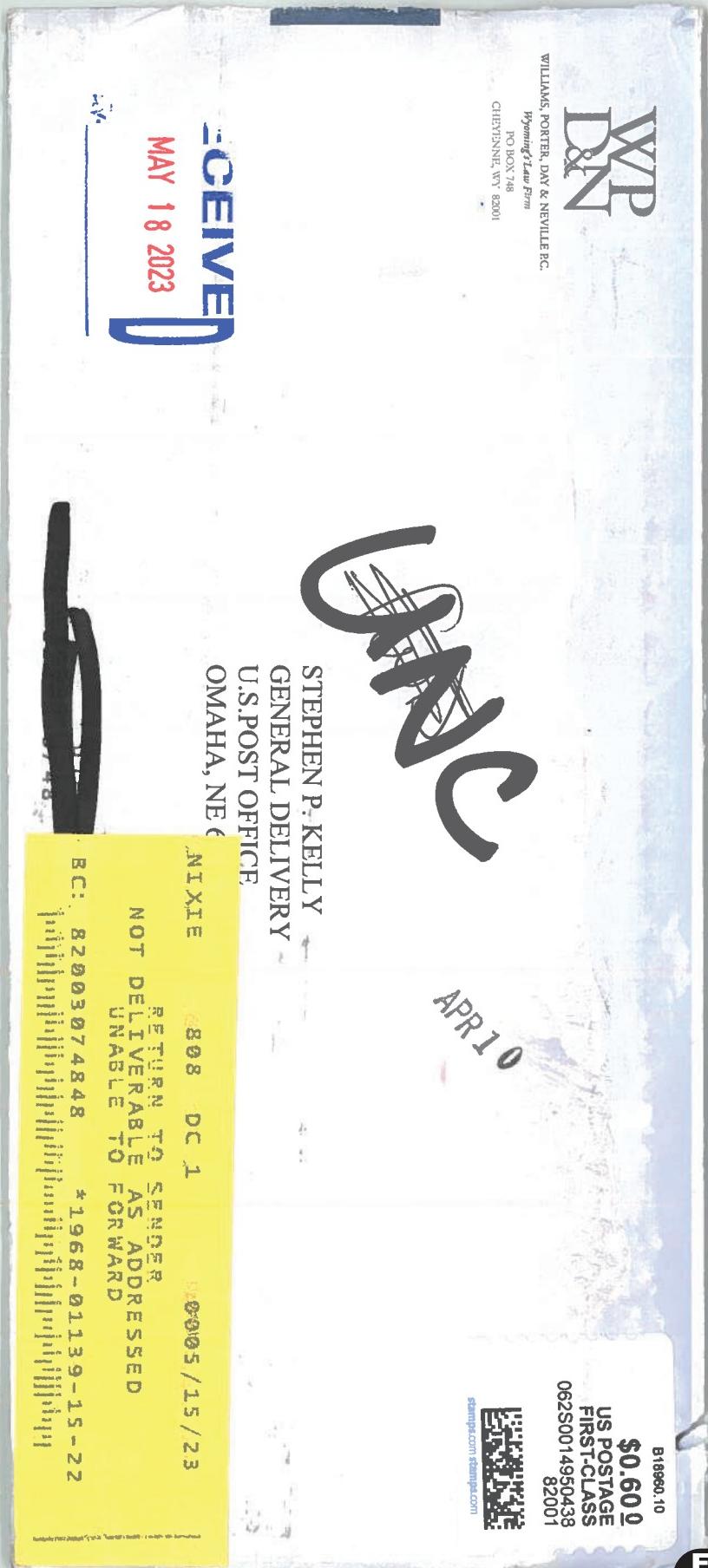
#### **CERTIFICATE OF SERVICE**

I do hereby certify that on this 19<sup>th</sup> day of May, 2023, a true and correct copy of the foregoing was served as indicated below:

Stephen P. Kelly  
General Delivery  
U.S. Post Office  
Omaha, NE 68108

U.S. Mail

*/s/ Tamara Lang*  
Williams, Porter, Day & Neville, P.C.



EXHIBIT

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